

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DOCKET NO. 2002-574

November 25, 2002

BREWER WATER DISTRICT
Proposed Rate Change

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY OF ORDER

We allow the Brewer Water District Schedule of Rates, filed pursuant to 35-A M.R.S.A. § 6104, to become effective, on less than statutory notice, on December 1, 2002. This order will be vacated should the Commission suspend the rates as a result of a petition submitted by the customers of the Brewer Water District. The customers have until November 27, 2002 (30 days from the October 28 hearing date) to file such a petition.

II. BACKGROUND

On September 25, 2002, the Brewer Water District made its informational filing with the Commission pursuant to 35-A M.R.S.A. §6104. The District held its hearing on October 28, 2002 after providing the required notices and filed its proposed rates with the Commission on November 12, 2002. The November 12th filing included a request that the Commission allow the rates to become effective, with less than the 30 days statutory notice, on December 1, 2002.

The District supports its request by stating that the December 1st effective date “will allow the District to incorporate the rate change for advance charges in its December bills and to avoid prorating bills issued to customers on March 1, 2003 bills.”

III. DECISION

We have reviewed the District’s request and filing and find that, in the absence of a petition from its customers, there is no compelling reason not to allow the District to implement the rate increase on December 1, 2002.

Accordingly, we

O R D E R

1. That the Brewer Water District Schedule of Rates, consisting of Sheets 1 through 3, all Fifth Revision, filed on November 12, 2002 are allowed to become effective, with less than statutory notice, for service rendered on and after December 1, 2002;
2. That this Order will be vacated if the Commission receives a petition from the customers of Brewer Water District on or before November 27, 2002. Upon receipt of a valid customer petition the rate increase will be suspended and investigated.

Dated at Augusta, Maine this 25th day of November 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: WELCH
NUGENT
DIAMOND

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.